

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Editorially amend claims 41, 42, 47, 50 and 56.
2. Amend independent claims 47 and 50 to include therein the limitations of dependent claim 48.
3. Cancel dependent claim 48 without prejudice or disclaimer.
4. Respectfully traverse all prior art rejections.
5. Advise the Examiner of the simultaneous filing of a Petition to Extend.

B. THE CLAIMS ARE SUPPORTED

To obviate the rejection under 35 USC §112, first paragraph, and to moot the ultimatum presented by the Examiner at the bottom of enumerated paragraph 3 of the office action, Applicants have amended all independent claims to refer to the “transport layer” rather than the “transport network layer”. That Applicants have employed the “transport network layer” to equate to what the Examiner considers to be the transport layer is clear from Applicants’ original disclosure and use of the transport layer, as shown in Fig. 7 and discussed, e.g., on page 3, lines 23 – 26 of the specification. Accordingly, it is respectfully requested that the rejection under 35 USC §112, first paragraph, be withdrawn.

C. PATENTABILITY OF THE CLAIMS

Claims 41-58 stand rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,366,961 to Subbiah et al. All prior art rejections are respectfully traversed for at least the following reasons.

All independent claims require usage of a claimed protocol stack in lieu of ATM and ATM Adaptation Layer 2 (AAL2) protocols. Differently, Subbiah does not use the claimed

protocols in lieu of ATM, but rather multiplexes plural ATM-type mini packets into his protocol (*see*, e.g., col. 3, lines 33 – 30). That Subbiah's mini packets are ATM-like (if not ATM per se) is evident from the particular ATM fields included in the Subbiah mini-packets, e.g., the CID field, the LI field, the SN field (*see*, e.g., col. 5, lines 5+, and especially line 32+).

Moreover, Applicants fail to understand how the office action deduces that Subbiah teaches or suggests the limitations of various dependent claims, such as dependent claim 48 with its SSRC identifier allocation to CS connection, which limitations have now been graded into independent claims 47 and 56. Nothing in Figs. 2 or 7 or col. 5, lines 5 – 45, teach or suggest the subject matter of former dependent claim 48.

D. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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